

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,
ex rel. VAN NGUYEN,

and

COMMONWEALTH OF VIRGINIA
ex rel. VAN NGUYEN,

Plaintiffs,

v.

VICTORIA TRANSCULTURAL
CLINICAL CENTER, VTCC, LLC,

Defendant.

No. 1:19-cv-68 (TSE/TCB)

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a), the United States and the Commonwealth of Virginia (collectively, the “Government”), having intervened in this *qui tam* brought pursuant to the False Claims Act, 31 U.S.C. §§ 3729-3733 and the Virginia Fraud Against Taxpayers Act, VA. CODE ANN. § 8.01-216.1 *et seq.*, and Relator Van Nguyen (“Relator”), stipulate and agree that the above captioned matter be dismissed as set forth below:

1. On September 8, 2020, the Government, Relator, and Defendant Victoria Transcultural Clinical Center, VTCC, LLC (“VTCC”) entered into an agreement that fully resolves the Government’s claims against VTCC (the “Settlement Agreement”).
2. The Government dismisses with prejudice all claims the Government filed against VTCC in the Government’s Complaint in Intervention (“Intervention Complaint”). Dkt. 17.

3. The Relator, a party to the claims in the Intervention Complaint pursuant to 31 U.S.C. § 3730(c)(1), dismisses all claims in the Intervention Complaint with prejudice.
4. Except as provided in the Settlement Agreement, the parties will bear their respective costs, including any attorneys' fees or other expenses of litigation.
5. The parties agree that pursuant to the Settlement Agreement and *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375 (1994), the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement.

Dated: September 23, 2020

AGREED TO:

G. ZACHARY TERWILLIGER
UNITED STATES ATTORNEY

By: /s/ Krista Anderson
KRISTA ANDERSON
ILENE ALBALA
Assistant United States Attorneys
Counsel for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 299-3712
Tel: (703)-299-3995
Fax: (703) 299-3983
Email: ilene.albala2@usdoj.gov
Email: krista.anderson@usdoj.gov

AGREED TO:

By: /s/ Megan Winfield
MEGAN A. WINFIELD (VSB #75005)
KATHERINE P. WRIGHT (VSB # 84296)
Assistant Attorneys General
Virginia Office of the Attorney General
Medicaid Fraud Control Unit, Civil Litigation

Counsel for the Commonwealth of Virginia
202 North 9th Street
Richmond, VA 23219
Tel: (804) 786-7760
Tel: (804) 225-3192
Fax: (804) 786-0807
Email: mwinfield@oag.state.va.us
Email: kwright@oag.state.va.us

AGREED TO:

/s/ Zachary Kitts
Zachary A. Kitts
Virginia Bar # 47052
Counsel for Plaintiff
K&G Law Group, PLLC
3554 Chain Bridge Road, Suite 100
Fairfax, Virginia 22030
Tel: 703-649-5500
Fax: 703-649-6363
Email: zkitts@kglawpllc.com

AGREED TO:

By:

/s/ Jennifer A. Brust, Esq.
Jennifer A. Brust, Esq. (Va. Bar No. 29707)
Samuel J. Banks, Esq. (Va. Bar No. 88990)
Counsel for Defendant
Bean, Kinney & Korman P.C.
2311 Wilson Boulevard, Suite 500
Arlington, VA 22201
Tel: 703-525-4000
Fax: 703-525-2207
jbrust@beankinney.com
sbanks@beankinncy.com

IT IS HEREBY SO ORDERED this ____ day of _____, 2020.

UNITED STATES DISTRICT JUDGE